

City of Kingsford
Regular Council Meeting, City Hall Council Chambers
Monday, October 16th, 2023

A regular meeting of the Kingsford City Council was held on Monday, October 16th, 2023 at 6:30 p.m. in the council chambers at City Hall.

Roll Call: Present: Flaminio, Groeneveld, Dixon-Miller, Freeman, Baldinelli
Absent:

Also present were: City Manager Mike Stelmaszek, City Attorney Bruce Brouillette, Maggie Lanthier with the Daily News, City Treasurer Holly Palmer, City Assessor Kyle Mulka, John Koehler with WJNR Results Broadcasting

The pledge of allegiance was recited by all.

Approval of the Minutes:

A. Regular Council Meeting of October 2nd, 2023

Motion by Baldinelli; **second** by Flaminio to approve the minutes of the regular city council meeting on October 2nd, 2023 as presented.

Approval of Agenda: Motion by Freeman; **second** by Baldinelli to approve the agenda as presented.

Vote: Unanimous, Motion carried.

Approval of Invoices: Motion by Dixon-Miller; **second** by Freeman to approve the invoices from October 3rd, 2023 thru October 16th, 2023 in the amount of \$217,231.68

Vote: Unanimous, Motion carried.

Consent Agenda:

A. Public Safety Report – September 2023

B. Treasurer’s Report – September 2023 - Includes Training Request

Motion by Flaminio; **second** by Baldinelli approve the training request for Holly Palmer and associated costs.

Vote: Unanimous, Motion carried.

Motion by Baldinelli; **second** by Freeman to receive and place on file the consent agenda.

Vote: Unanimous, Motion carried.

Public Comment: None.

Communications: None.

Manager’s Report:

1. The results were in from the Sparks Grant applications. Neither application was recommended for approval by the DNR Director. Stelmaszek plants to resubmit them in the future.
2. Stelmaszek included a letter to the residents of Kingsford regarding the November 7th, 2023 City of Kingsford ballot initiative. The letter is available for residents who come to City Hall and is posted on the city’s website.
3. Next week contractors will be starting on the watermain replacement project across Kimberly Ave. and will be starting on the sewer replacement project on Hamilton Ave the following week.
4. Kwik Trip Ribbon Cutting will be held on November 14th at 12:30pm for any council members wishing to be present.

5. Stelmaszek will be out of town, Tuesday October 17th – Friday, October 20th for the MML Convention along with Freeman and Baldinelli.
6. EGLE has increased the required sampling (at our cost) for PFAS and other similar chemicals from once year to quarterly because of concerning levels of these chemicals having been found in the city's drinking water (a copy of the study of Ford Airport area was provided to each council member). The concern is that these levels of contamination will lead the Federal and/or State governments to mandate the city's construction and manning of a treatment facility for our public water supply.
Both the City Attorney and I have been studying the legal settlement proposal and have viewed and MML Webinar on the issue. Because doing nothing will cause the city to be "Bound by judgement or other final disposition of the released claims" and preclude the city from pursuing their own claims. It is the recommendation of our City Attorney that we opt-out of our ongoing settlement proceedings. I will complete the opt-out process before our next city council meeting.

Motion by Baldinelli; **second** by Flaminio to receive and place on file the manager's report.

Vote: Unanimous; Motion carried.

Old Business

- A. Outstanding Invoices – Flaminio went over the outstanding invoices the from the Centennial event that includes Baldinelli's contribution and his own. He stated that at the previous meeting it was perceived that the contribution was made as a donation but that was not how it was supposed to be intended. He mentioned that being in the entertainment industry himself made him realize the entertainment should not have to wait for payment prompting him to pay with his own funds to cover half of the performance expenses for Ann Wilson but he intended to be paid back. He also mentioned Baldinelli's contribution. To be continued (Moved to 6:45pm hearing) **

Motion by Baldinelli; **second** by Flaminio to adjourn as the City Council and reconvene as the Zoning Board of Appeals.

Vote: Unanimous, Motion carried.

Hearings

- A. 6:45pm Hearing for "Exception/Special Approval" Request – Stelmaszek went over the request from Garritt Bader. Groeneveld asked if there were any questions from the council or the public. No questions received.

Motion by Flaminio; **second** by Baldinelli approve the exception/special approval contingent on entering into a shared parking agreement.

Roll Call: Yes – Flaminio, Groeneveld, Dixon-Miller, Freeman, Baldinelli

Motion by Dixon-Miller; **second** by Freeman to adjourn as the Zoning Board of Appeals and reconvene as the City Council.

Vote: Unanimous; Motion carried.

Continued Old Business

- A. Outstanding Invoices Continued – Baldinelli continued with the explanation of his contribution to the centennial event stating they needed to have apparel to sell for the event but with not having funds available at the time he went ahead and financed the apparel. He restated that he agreed to be the last person paid and mentioned that last week the committee received their new raffle license for the 50/50 drawing which he marked as the beginning of making everyone whole. Flaminio confirmed did submit an invoice for his contribution to the centennial.
- B. Centennial Books – Flaminio stated that after some thought into the previous meeting regarding the books he believes that the books should not have been a centennial committee expense and should have been a City of Kingsford expense. Freeman brought up that he would like to put measures in place to avoid the city or committee from being in a similar position in the future. He stated he does not agree with anyone on the council

or people employed by the city being executive positions on subcommittees and questioned the reason for creating a subcommittee or an LLC in the first place. City Attorney, Bruce Brouillette, commented that the reason for creating an LLC was for liability issues. Groeneveld asked what the city did for the diamond jubilee event and Bruce stated that the city formed an LLC. Freeman mentioned his main concern again was that council members and city employees not be in an executive position on the board or lend money to a committee. Baldinelli mentioned that the committee needed the apparel and he decided to make the contribution at the time because they did not have the funds available to purchase them at the time. A brief discussion took place regarding the rules for more than 3 council members being on a committee together. Dixon-Miller mentioned she was confused why the invoice for Flaminio was included because at the previous meeting Flaminio stated he did not know why it was showing up as an outstanding bill. Flaminio clarified that he questioned that it was on there at the last meeting because he had just submitted the bill and did not think it would be on the bill list in time for the meeting. Brouillette asserted that the vote made last week to pay the outstanding bills would have passed regardless even though Flaminio should have abstained with him now saying the payment he made was not a gift and he expected to be paid back. A lengthy discussion continued. No motion or action taken.

New Business

- A. CivicPlus Renewal Agreement – Stelmaszek went over the agreement which was originally an increase of 22% that was negotiated down to 11% by Stelmaszek and will include a 5% increase every year. Stelmaszek requested that the council approve the new agreement and renegotiate after 2.5 years. Freeman stated that the 5% increase each year is standard.

Motion by Freeman; **second** by Dixon-Miller to approve the new agreement with CivicPlus that will be renegotiated in 2.5 years.

Vote: Unanimous, motion carried.

- B. Colligo GIS Renewal Agreement – Stelmaszek went over the agreement. He stated that it is used by our public works department, by our assessor and mentioned that it also gets used by the public on our website.

Motion by Dixon-Miller; **second** by Flaminio to approve the renewal agreement from Colligo GIS.

Vote: Unanimous, motion carried.

- C. UP Rehab Services Variance Request for New Construction (set Hearing for 11/6/23) – 3-0 Properties LLC (UP Rehab) at 505 N. Hooper Ave. is requesting a variance from the required side yard setback for the property. The property is in the B-2 General Business District which does not require any side yard setback unless a neighboring parcel is zoned residential, in which case the side yard setback is 30 ft (sec 44-302(n)). The variance site happens to be adjacent the school which is zoned R-1. The plan, as submitted, places an addition to the existing building 21 feet from the side yard line. The variance requested is for a side yard setback 9 feet less than what is required.

Motion by Flaminio; **second** by Baldinelli to set a hearing date for the variance on November 6th, 2023 at 6:45pm.

Vote: Unanimous, motion carried.

- D. Public Safety Capital Improvement Request – After review of the available work accommodations for our new female public safety officer, Stelmaszek instructed Director Rutter to seek construction estimates to rectify the situation as soon as it could be done. The revisions are not in the current CIP plan and it was decided not to include it in the next CIP plan because the new plan will not take effect until 2025. As seen in Director Rutter's memo there was "opportunity for competition" given the process to obtain estimates for the work. MBM Construction came though with what we feel is a competitive estimate of \$25,490 to refurbish the CIRT room into a bathroom off the old sergeant's office. Stelmaszek requested approval to move forward with the renovation to the public safety building to provide equivalent accommodations for our current female officer and to provide proper accommodations for additional female officers that may be hired in the future. A brief discussion took place. Freeman brought up utilizing software for bids to

make sure we are getting the most competitive bids and help get the word out. Stelmaszek stated he would look into new software for bids.

Motion by Flaminio; **second** by Baldinelli to accept the bid from MBM Construction to create a female's bathroom at Kingsford Public Safety.

Vote: Unanimous, motion carried.

Public Comment: None.

Councilmember's Privilege: Freeman mentioned he is looking forward to the MML Convention to meet new people and get new ideas. Dixon-Miller mentioned while it is good to get more quotes when you find a good contractor you tend to stick with them. She also brought up the comments made regarding her volunteering for the centennial stating she did volunteer the time she had when she was available but due to family matters, she was not able to do more than what she did. Baldinelli mentioned that raffle tickets should be printed next week and he hopes that each council member will take a packet of 25 to sell. Groeneveld thanked everyone for coming and said Happy Halloween.

Adjournment: **Motion** by Freeman **second** by Dixon-Miller to adjourn the meeting. Meeting adjourned at 7:45pm.

Vote: Unanimous, Motion carried.

Mayor, Joseph Groeneveld

City Manager, Michael Stelmaszek